

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WILLIAM E. BURGESS and ROSE M.
BURGES, Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

vs.

BANCORPSOUTH, INC., et al.,

Defendants.

) Civil Action No. 3:14-cv-01564

) The Honorable Waverly D. Crenshaw, Jr.

) The Honorable Jeffery S. Frensey

) CLASS ACTION

) NOTICE OF MOTION AND MOTION FOR
) (1) FINAL APPROVAL OF CLASS ACTION
) SETTLEMENT AND APPROVAL OF PLAN
) OF ALLOCATION; AND (2) AN AWARD
) OF ATTORNEYS' FEES AND EXPENSES
) AND AWARD TO PLAINTIFF PURSUANT
) TO 15 U.S.C. §78u-4(a)(4)

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that, pursuant to an Order of the Court entered April 3, 2018, on September 21, 2018, at 1:30 p.m., or as soon thereafter as counsel may be heard, at the Estes Kefauver Federal Building & Courthouse, 801 Broadway, Courtroom A-859, Nashville, Tennessee, before the Honorable Waverly D. Crenshaw, Jr., Plaintiff will and hereby moves for (i) final approval of the proposed settlement of the above-captioned action; (ii) approval of the Plan of Allocation; and (iii) final certification of the Class for purposes of effectuating the Settlement. In addition, Plaintiff's counsel hereby applies for an award of attorneys' fees and expenses and for an award to Plaintiff for the reimbursement of costs and expenses in representing the Class pursuant to 15 U.S.C. §78u-4(a)(4).

The foregoing motions are based on the:

- Memorandum of Law in Support of Plaintiff's Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation;
- Memorandum of Law in Support of Class Counsel's Motion for an Award of Attorneys' Fees and Expenses and Award to Plaintiff Pursuant to 15 U.S.C. §78u-4(a)(4);
- Declaration of Christopher M. Wood in Support of Plaintiff's Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation and Class Counsel's Motion for an Award of Attorneys' Fees and Expenses and Award to Plaintiff Pursuant to 15 U.S.C. §78u-4(a)(4);
- Declaration of Richard Rhodes in Support of Final Approval of Class Action Settlement;
- Declaration of Carole K. Sylvester Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date;
- Declaration of Christopher M. Wood Filed on Behalf of Robbins Geller Rudman & Dowd LLP in Support of Application for Award of Attorneys' Fees and Expenses;
- Declaration of Jerry E. Martin Filed on Behalf of Barrett Johnston Martin & Garrison, LLC in Support of Application for Award of Attorneys' Fees and Expenses; and

- Stipulation of Settlement and all Exhibits thereto, all other pleadings and matters of record, and such additional evidence or argument as may be presented at the hearing.

DATED: August 17, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on August 17, 2018, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Christopher M. Wood

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Mailing Information for a Case 3:14-cv-01564 Burges et al v. BancorpSouth, Inc. et al

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)